# **United States District Court**

# NORTHERN DISTRICT OF CALIFORNIA



NATIVE VILLAGE OF KIVALINA, and CITY OF KIVALINA,

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.

EXXONMOBIL CORPORATION; BP P.L.C.; BP

AMERICA, INC.; BP PRODUCTS NORTH

AMERICA, INC.; (see attached)

CV 08

1138

TO: (Name and address of defendant)

Du attal ament



YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Luke W. Cole CENTER ON RACE, POVERTY & THE ENVIRONMENT 47 Kearny Street, Suite 804 San Francisco, CA 94108

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

I de la la comita

DA FEB 2 6 2008

(BY) DEPUTY CLERK

| (<br>AO 440 (Rev. | Case 4:08-cv-01138-SBA . 8/01) Summons in a Civil Action                                                        | Document 8            | Filed 03/17/2008    | Page 2 of 21               |
|-------------------|-----------------------------------------------------------------------------------------------------------------|-----------------------|---------------------|----------------------------|
|                   |                                                                                                                 | RETURN OF SEI         | RVICE               |                            |
|                   | of the Summons and Complaint was ma                                                                             | de by me <sup>1</sup> | DATE                |                            |
| Name of SE        | RVER                                                                                                            |                       | TITLE               |                            |
| Che               | ck one box below to indicate appropriate                                                                        | e method of service   |                     |                            |
|                   | Served Personally upon the Defendant.                                                                           | Place where served    | i:                  |                            |
| •                 | Left copies thereof at the defendant's dediscretion then residing therein.  Name of person with whom the summon | -                     | ·                   | person of suitable age and |
|                   | Returned unexecuted:                                                                                            |                       |                     |                            |
| <b>.</b>          | Other (specify):                                                                                                |                       |                     |                            |
|                   | STA                                                                                                             | TEMENT OF SERV        | NVE CEE6            |                            |
| TRAVEL            | SERVICE                                                                                                         |                       | TOTA                | L.                         |
|                   | D                                                                                                               | ECLARATION OF S       | BERVER              |                            |
| in                | l declare under penalty of perjury<br>formation contained in the Return of Ser                                  |                       |                     | 5 5                        |
| Executed          | d on                                                                                                            | ٤                     | Signature of Server |                            |
|                   |                                                                                                                 | A                     | ddress of Server    |                            |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

# SUMMONS ATTACHMENT

L(a) DEFENDANTS, continued: CHEVRON CORPORATION; CHEVRON U.S.A., INC.; CONOCOPHILLIPS COMPANY; ROYAL DUTCH SHELL PLC; SHELL OIL COMPANY; PEABODY ENERGY CORPORATION; THE AES CORPORATION; AMERICAN ELECTRIC POWER COMPANY, INC.; AMERICAN ELECTRIC POWER SERVICES CORPORATION; DTE ENERGY COMPANY; DUKE ENERGY CORPORATION; DYNEGY HOLDINGS, INC.; EDISON INTERNATIONAL; MIDAMERICAN ENERGY HOLDINGS COMPANY; MIRANT CORPORATION; NRG ENERGY; PINNACLE WEST CAPITAL CORPORATION; RELIANT ENERGY, INC.; THE SOUTHERN COMPANY; and XCEL ENERGY, INC.

| REED A. KATHREIN, ESQ. (133034) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Ave., Suite 202                                                         | Telephona:<br>(510) 725-3034     | FOR COURT USE ONLY |
|----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------|
| Berkeley, California 94710 Attornwys for: PLAINTIFFS Insurt name of court, Judoist district and branch court, If any: UNITED STATES DISTRICT COURT | RAF, No. Or Flia No.<br>W2492681 |                    |
| NORTHERN DISTRICT OF CALIFORNIA Podruth  NATIVE VILLAGE OF KIVALINA, et al.                                                                        |                                  |                    |
| EXXONMOBIL CORPORATION, et al.                                                                                                                     |                                  |                    |
| PROOF OF SERVICE                                                                                                                                   | Dept/Dkv: Casa Numbe             | CO8-1138 SBA       |

I, Daniel Newcomb , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: THE AES CORPORATION

By Servina

: MARY DRUMMOND, Managing Agent

Address

: 2711 Centerville Road Suite 400 , Wilmington, Delaware 19808

Date & Time

: Monday, March 3, 2008 @ 3:35 p.m.

Witness fees were

: Not applicable.

Person serving: Daniel Newcomb Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105 Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.:

(3) County:

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 5, 2008

Signature Daniel Newcomb

# Document 8 Filed 03/17/2008 Case 4:08-cv-01138-SBA Page 5 of 21

| Attorney Or Party Without Attorney (Name and Address)          |                                 |       |           | Telephone:  | FOR COURT USE ONLY                    |
|----------------------------------------------------------------|---------------------------------|-------|-----------|-------------|---------------------------------------|
| REED A. KATHREIN, ESC                                          | REED A. KATHREIN, ESQ. (133034) |       |           | 0) 725-3034 |                                       |
| HAGENS BERMAN SOBOL                                            | SHAPIRO LLP                     |       |           | -           |                                       |
| 715 Hearst Ave., Suite 202                                     |                                 |       |           |             |                                       |
| Berkeley, California 9471                                      | 0                               |       |           |             |                                       |
| Attorneys for: PLAINTIFFS                                      |                                 |       |           | W249268     | 3                                     |
| Insert name of court, judicial district and branch court, if a | ny:                             |       |           |             |                                       |
| UNITED STATES DISTRICT                                         | COURT                           |       |           |             |                                       |
| NORTHERN DISTRICT OF C                                         | ALIFORNIA                       |       |           |             |                                       |
| Plaintiff:                                                     |                                 |       |           |             | · · · · · · · · · · · · · · · · · · · |
| NATIVE VILLAGE OF KIVA                                         | LINA, et al.                    |       |           |             |                                       |
| Defendant:                                                     |                                 |       |           |             |                                       |
| EXXONMOBIL CORPORATION                                         | N, et al.                       |       |           |             |                                       |
|                                                                | Date:                           | Time: | Dept/Div: |             | Case Number:                          |
| PROOF OF SERVICE                                               |                                 |       |           |             | C08-1138 SBA                          |

, Under penalty of perjury, hereby declare that I am and was on l. Bobby Ali the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: AMERICAN ELECTRIC POWER COMPANY, INC.

By Serving

: ELENA BOUTAKOVA, Authorized Agent of CT CORPORATION SYSTEM, Agent for Service of

Process.

Address

: 111 Eighth Avenue, New York, New York, 10011

Date & Time

: Monday, March 3, 2008 @ 12:20 p.m.

Witness fees were

: Not applicable.

Person serving:

Bobby Ali

Wheels of Justice, Inc.

657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 871612

(3) County:

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 3, 2008

Signature:



| Attorney Or Party Without Attorney (Name and Address)           |              |       | Smiran    | Telephone:                    | FOR COURT USE ONLY                             |
|-----------------------------------------------------------------|--------------|-------|-----------|-------------------------------|------------------------------------------------|
| REED A. KATHREIN, ESQ. (133034) HAGENS BERMAN SOBOL SHAPIRO LLP |              |       | (51       | 0) 725-3034                   | TON COSMY SOE SILEY                            |
| 715 Hearst Ave., Suite 2<br>Berkeley, California 9471           |              |       |           | Ref. No. Or File No. W2492692 |                                                |
| Attorneys for: PLAINTIFFS                                       |              |       |           | WZ49Z09Z                      | <u>,                                      </u> |
| Insert name of court, judicial district and branch court, if a  | ny:          |       |           |                               |                                                |
| UNITED STATES DISTRICT                                          | COURT        |       |           |                               |                                                |
| NORTHERN DISTRICT OF C                                          | ALIFORNIA    |       |           |                               |                                                |
| Plaintiff:                                                      |              |       |           |                               |                                                |
| NATIVE VILLAGE OF KIVA                                          | LINA, et al. |       |           |                               |                                                |
| Defendant:                                                      | WWW.         |       | ******    |                               |                                                |
| EXXONMOBIL CORPORATION                                          | N, et al.    |       |           |                               |                                                |
| PROOF OF SERVICE                                                | Date:        | Time: | Dept/Div: |                               | Cose Number:<br>CO8-1138 SBA                   |

I, Bobby Ali , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: AMERICAN ELECTRIC POWER SERVICE CORPORATION

By Serving

: ELENA BOUTAKOVA, Authorized Agent of CT CORPORATION SYSTEM, Agent for Service of

Process.

Address

: 111 Eighth Avenue, New York, New York, 10011

Date & Time

: Saturday, March 8, 2008 @ 12:20 p.m.

Witness fees were

: Not applicable.

Person serving:

Bobby Ali

Wheels of Justice, Inc. 657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 871612

(3) County:

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 3, 2008

Signature:\_\_\_

Bobby Ali



| Case 4:08-cv-                                                | 01138-SBA    | Document | 8 File   | ed 03/17/200         | 8 Page 7 of 21     |
|--------------------------------------------------------------|--------------|----------|----------|----------------------|--------------------|
| Attorney Or Party Without Attorney (Name and Address)        |              |          |          | Telephone:           | FOR COURT USE ONLY |
| REED A. KATHREIN, ESC                                        | ). (133034)  |          | (51      | 0) 725-3034          |                    |
| HAGENS BERMAN SOBOL                                          | SHAPIRO LLP  |          | ,        | •                    |                    |
| 715 Hearst Ave., Suite 2                                     | .02          |          |          |                      |                    |
| Berkeley, California 9471                                    | 10           |          |          | Ref. No. Or File No. |                    |
| Attorneys for: PLAINTIFFS                                    |              |          |          | W249267              | 7                  |
| Insert name of court, judicial district and branch court, if | any:         |          |          |                      |                    |
| UNITED STATES DISTRICT                                       | COURT        |          |          |                      |                    |
| NORTHERN DISTRICT OF C                                       | CALIFORNIA   |          |          |                      |                    |
| Plaintiff:                                                   |              |          |          |                      |                    |
| NATIVE VILLAGE OF KIVA                                       | LINA, et al. |          |          |                      |                    |
| Defendant:                                                   |              |          |          |                      |                    |
| EXXONMOBIL CORPORATION                                       | DN, et al.   |          |          |                      |                    |
|                                                              | Date:        | Time:    | Dept/Div |                      | Case Number:       |
| PROOF OF SERVICE                                             |              | -        |          | AAA                  | C08-1138 SBA       |

l, J. Aldana , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: BP AMERICA INC.

By Serving

: MARGARET WILSON, Authorized Agent of CT CORPORATION SYSTEM, Agent for Service of

**Process** 

Address

: 818 W. Seventh Street , Los Angeles, California 90017

Date & Time

: Monday, March 3, 2008 @ 11:00 a.m.

Witness fees were

: Not demanded or paid.

Person serving:

J. Aldana

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 5261

(3) County: Los Angeles

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 3, 2008

Signature:

| Attorney Or Party Without Attorney (Name and Address)                              |           | , , , , , , , , , , , , , , , , , , , , | Telephone:           | FOR COURT USE ONLY |
|------------------------------------------------------------------------------------|-----------|-----------------------------------------|----------------------|--------------------|
| REED A. KATHREIN, ESQ. (1<br>HAGENS BERMAN SOBOL SHA<br>715 Hearst Ave., Suite 202 | •         | (51                                     |                      |                    |
| Berkeley, California 94710                                                         |           |                                         | Ref. No. Or File No. |                    |
| Attorneys for: PLAINTIFFS                                                          |           |                                         | W249266              | 6                  |
| Insert name of court, judicial district and branch court, if any:                  |           |                                         | <del></del>          |                    |
| UNITED STATES DISTRICT COI                                                         | JRT       |                                         |                      |                    |
| NORTHERN DISTRICT OF CALIF                                                         | ORNIA     |                                         |                      |                    |
| Plaintiff:                                                                         |           |                                         |                      |                    |
| NATIVE VILLAGE OF KIVALINA                                                         | A, et al. |                                         |                      |                    |
| Defendant:                                                                         |           |                                         |                      |                    |
| EXXONMOBIL CORPORATION, 6                                                          | et al.    |                                         |                      |                    |
| PROOF OF SERVICE                                                                   | Time:     | Dept/Div:                               |                      | CO8-1138 SBA       |

I, Jim Wardlow , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: BP PRODUCTS NORTH AMERICA, INC.

By Serving

: BECKY DEGEORGE, Authorized Agent of CSC-Lawyers Incorporating Service, Agent for Service

of Process

Address

: 2730 Gateway Oaks Drive, Suite 100, Sacramento, California 95833

Date & Time

: Monday, March 3, 2008 @ 2:55 p.m.

Witness fees were

: Not applicable.

Person serving:

Jim Wardlow

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

Page 8 of 21

(2) Registration No.: 87-010

(3) County: Sacramento

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 4, 2008

Signature: Jim Wardlow

| Attorney Or Party Without Attorney (Name and Address)                                       | Telephone:           | FOR COURT USE ONLY |
|---------------------------------------------------------------------------------------------|----------------------|--------------------|
| REED A. KATHREIN, ESQ. (133034)                                                             | (510) 725-3034       |                    |
| HAGENS BERMAN SOBOL SHAPIRO LLP                                                             | ` ,                  |                    |
| 715 Hearst Ave., Suite 202                                                                  |                      |                    |
| Berkeley, California 94710                                                                  | Ref. No. Or File No. |                    |
|                                                                                             | W2492671             |                    |
| Attorneys for: PLAINTIFFS Insert name of court, judicial district and branch court, if any: | WZ49Z671             |                    |
| UNITED STATES DISTRICT COURT                                                                |                      |                    |
| NORTHERN DISTRICT OF CALIFORNIA                                                             |                      |                    |
|                                                                                             |                      |                    |
| Plaintiff:                                                                                  |                      |                    |
| NATIVE VILLAGE OF KIVALINA, et al.                                                          |                      |                    |
| Defendant:                                                                                  |                      |                    |
| EXXONMOBIL CORPORATION, et al.                                                              |                      |                    |
| Date: Time:                                                                                 | Dept/Div: Case N     | Number:            |
| PROOF OF SERVICE                                                                            |                      | C08-1138 SBA       |

I, Jim Wardlow , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS;
ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF
MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: CHEVRON CORPORATION

By Serving

: BECKY DEGEORGE, Authorized Agent of CSC-Lawyers Incorporating Service, Agent for Service

of Process

Address

: 2730 Gateway Oaks Drive, Suite 100, Sacramento, California 95833

Date & Time

: Monday, March 3, 2008 @ 2:55 p.m.

Witness fees were

: Not applicable.

Person serving:

Jim Wardlow

Wheels of Justice, Inc. 657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 87-010

(3) County: Sacramento

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 4, 2008

Signature

Jim Wardlow



| Attorney Or Party Without Attorney (Name and Address)                                            |              |       |           | Telephone:           | FOR COURT USE ONLY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------|--------------|-------|-----------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| REED A. KATHREIN, ESQ. (133034)<br>HAGENS BERMAN SOBOL SHAPIRO LLP<br>715 Hearst Ave., Suite 202 |              |       | (51       | 0) 725-3034          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Berkeley, California 9471                                                                        | 10           |       |           | Ref. No. Or File No. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Attorneys for: PLAINTIFFS                                                                        |              |       |           | W249267              | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Insert name of court, judicial district and branch court, if                                     | any:         |       |           |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| UNITED STATES DISTRICT                                                                           | COURT        |       |           |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| NORTHERN DISTRICT OF C                                                                           | CALIFORNIA   |       |           |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Plaintiff:                                                                                       |              |       |           |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| NATIVE VILLAGE OF KIVA                                                                           | LINA, et al. |       |           |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Defendant:                                                                                       |              |       |           |                      | Microbiants of activities and activities activities activities activities and activities activities and activities |
| EXXONMOBIL CORPORATION                                                                           | ON, et al.   |       |           |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| PROOF OF SERVICE                                                                                 | Date:        | Time: | Dept/Div: |                      | CO8-1138 SBA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

I, Jim Wardlow , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: CHEVRON U.S.A., INC.

By Serving

: BECKY DEGEORGE, Authorized Agent of CSC-Lawyers Incorporating Service, Agent for Service

of Process

Address

: 2730 Gateway Oaks Drive, Suite 100 , Sacramento, California 95833

Date & Time

: Monday, March 3, 2008 @ 2:55 p.m.

Witness fees were

: Not applicable.

Person serving:

Jim Wardlow

Wheels of Justice, Inc. 657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 87-010

(3) County: Sacramento

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

o true and compet.

Date: March 4, 2008

Signature:

Jim Wardlow



| Attorney Or Party Without Attorney (Name and Address)                            | - 10 700000 100 100 |       |           | Telephone:                   | FOR COURT USE ONLY |  |
|----------------------------------------------------------------------------------|---------------------|-------|-----------|------------------------------|--------------------|--|
| REED A. KATHREIN, ESQ. (133034)<br>HAGENS BERMAN SOBOL SHAPIRO LLP               |                     |       | (51       | 0) 725-3034                  |                    |  |
| 715 Hearst Ave., Suite 202 Berkeley, California 94710  Attorneys for: PLAINTIFFS |                     |       |           | Ref. No. Or File No. W249267 | 3                  |  |
| Insert name of court, judicial district and branch court, if a                   | inv:                |       | .,        | L                            | <del></del>        |  |
| UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA                     |                     |       |           |                              |                    |  |
| Plaintiff:                                                                       |                     |       |           |                              |                    |  |
| NATIVE VILLAGE OF KIVA                                                           | LINA, et al.        |       |           |                              |                    |  |
| Defendant:                                                                       |                     |       |           |                              |                    |  |
| EXXONMOBIL CORPORATION, et al.                                                   |                     |       |           |                              |                    |  |
| PROOF OF SERVICE                                                                 | Date:               | Time: | Dept/Div: |                              | CO8-1138 SBA       |  |

I, Jim Wardlow , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: CONOCOPHILLIPS COMPANY

By Serving

: BECKY DEGEORGE, Authorized Agent of CSC-Lawyers Incorporating Service, Agent for Service

of Process

Address

: 2730 Gateway Oaks Drive, Suite 100 , Sacramento, California 95833

Date & Time

: Monday, March 3, 2008 @ 2:55 p.m.

Witness fees were

: Not applicable.

Person serving:

Jim Wardlow

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 87-010

(3) County: Sacramento

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 4, 2008

Signature:

Jim Wardlow

Printed on recycled paper

. Under penalty of perjury, hereby declare that I am and was on I, Daniel Newcomb the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: DYNEGY HOLDINGS INC.

By Serving

: SCOTT LASCALA, Managing Agent

Address

: 1209 Orange Street, Wilmington, Delaware 19801

Date & Time

: Monday, March 3, 2008 @ 2:00 p.m.

Witness fees were

PROOF OF SERVICE

: Not applicable.

Person serving:

Daniel Newcomb

Wheels of Justice, inc. 657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

- d. Registered California Process Server
  - (1) Employee or independent contractor
  - (2) Registration No.:
  - (3) County:
  - (4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 5, 2008

Signature: Daniel Newcomb

| Case 4:08-cv-0                                                 | 1138-SBA     | Document 8 | 8 File    | d 03/17/2008         | Page 13 of 21      |   |
|----------------------------------------------------------------|--------------|------------|-----------|----------------------|--------------------|---|
| Attorney Or Party Without Attorney (Name and Address)          |              |            |           | Telephone:           | FOR COURT USE ONLY | - |
| REED A. KATHREIN, ESC                                          | ). (133034)  |            | (51       | 0) 725-3034          |                    |   |
| HAGENS BERMAN SOBOL                                            | - •          |            | ,         | ,                    |                    |   |
| 715 Hearst Ave., Suite 2                                       |              |            |           |                      |                    |   |
| Berkeley, California 9471                                      |              |            |           | <del></del>          |                    |   |
| berkeley, California 947 i                                     | U            |            |           | Ref. No. Or File No. |                    |   |
| Attorneys for: PLAINTIFFS                                      |              |            |           | W2492678             |                    |   |
| Insert name of court, judicial district and branch court, if a | iny:         |            |           |                      |                    |   |
| UNITED STATES DISTRICT                                         | COURT        |            |           |                      |                    |   |
| NORTHERN DISTRICT OF C                                         | CALIFORNIA   |            |           |                      |                    |   |
| Plaintiff:                                                     |              |            |           |                      |                    |   |
| NATIVE VILLAGE OF KIVA                                         | LINA, et al. |            |           |                      |                    |   |
| Defendant:                                                     |              |            |           |                      |                    |   |
| EXXONMOBIL CORPORATION                                         | N, et al.    | * *        |           |                      |                    |   |
|                                                                | Date:        | Time:      | Dept/Div: | C                    | ase Number:        |   |
| PROOF OF SERVICE                                               |              |            |           |                      | C08-1138 SBA       |   |

I, Carl F. Lundgren , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: EDISON INTERNATIONAL

By Serving

: VICKI KAISER, Authorized Agent/Authorized to Accept Service of Process.

Address

: 2244 Walnut Grove Avenue , Rosemead, California 91770

Date & Time

: Tuesday, March 4, 2008 @ 12:45 p.m.

Witness fees were

: Not applicable.

Person serving: Carl F. Lundgren

Wheels of Justice, Inc.

657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 406

(3) County: San Francisco

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 5, 2008

Signature:\_

Carl F. Lundgren



| Case 4:08-cv-0                                                                            | 1138-SBA                                       | Document 8 | B File    | d 03/17/2008         | Page 14 of 21      |
|-------------------------------------------------------------------------------------------|------------------------------------------------|------------|-----------|----------------------|--------------------|
| Attorney Or Party Without Attorney (Name and Address)                                     |                                                |            | ·v.       | Telephone:           | FOR COURT USE ONLY |
| REED A. KATHREIN, ESC                                                                     | REED A. KATHREIN, ESQ. (133034) (510) 725-3034 |            |           |                      |                    |
| HAGENS BERMAN SOBOL                                                                       | SHAPIRO LLP                                    |            |           |                      |                    |
| 715 Hearst Ave., Suite 2                                                                  | 02                                             |            |           |                      |                    |
| Berkeley, California 9471                                                                 |                                                |            |           | Ref. No. Or File No. | <u> </u>           |
| DI AINITIEEC                                                                              |                                                |            |           | W2492675             | 5                  |
| Attorneys for: PLAIN IIFFS Insert name of court, judicial district and branch court, if a | any:                                           |            |           |                      |                    |
| UNITED STATES DISTRICT                                                                    | •                                              |            |           |                      |                    |
| NORTHERN DISTRICT OF C                                                                    |                                                |            |           |                      |                    |
|                                                                                           | ALII ONNA                                      |            |           |                      |                    |
| Plaintiff:                                                                                |                                                |            |           |                      |                    |
| NATIVE VILLAGE OF KIVA                                                                    | LINA, et al.                                   |            |           |                      |                    |
| Defendant:                                                                                |                                                |            |           |                      |                    |
| EXXONMOBIL CORPORATION                                                                    | DN, et al.                                     |            |           |                      |                    |
|                                                                                           | Date:                                          | Time:      | Dept/Div: |                      | Case Number:       |
| PROOF OF SERVICE                                                                          |                                                |            |           |                      | C08-1138 SBA       |

I, J. Aldana , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant : MIDAMERICAN ENERGY HOLDINS COMPANY

By Serving : MARGARET WILSON, Authorized Agent of CT CORPORATION SYSTEM, Agent for Service of

**Process** 

Address : 818 W. Seventh Street , Los Angeles, California 90017

Date & Time : Monday, March 3, 2008 @ 11:00 a.m.

Witness fees were : Not applicable.

Person serving:

J. Aldana

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 5261

(3) County: Los Angeles

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 3, 2008

Signature:\_

J. Aldana



Case 4:08-cv-01138-SBA **Document 8** Filed 03/17/2008 Page 15 of 21 Attorney Or Party Without Attorney (Name and Adriness) FOR COURT USE - ONLY REED A. KATHREIN, ESQ. (133034) (510) 725-3034 HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Ave., Suite 202 Berkeley, California 94710 Attomoya for: **PLAINTIFFS** W2492685 Insarr name of court. Judicial district and branch court, if any: UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA NATIVE VILLAGE OF KIVALINA, et al. EXXONMOBIL CORPORATION, et al. PROOF OF SERVICE CO8-1138 SBA

I, Ontry Patten , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action:

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: MIRANT CORPORATION

By Serving

: DEBBIE SEALUND, Managing Agent

Address

: 160 Greentree Dr. # 101 , Dover, DE 19904

Date & Time

: Monday, March 3, 2008 @ 2:55 pm.

Witness fees were

: Not applicable.

Person serving:

Ontry Patten

Wheels of Justice, Inc. 657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

- d. Registered California Process Server
  - (1) Employee or independent contractor
  - (2) Registration No.:
  - (3) County:
  - (4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 5, 2008

Signatu

(9<sup>4</sup>2)

| Case 4:08-cy-0                                               | )1138-SBA                             | Document 8 | 3 File    | ed 03/17/2008        | 3 Page       | e 16 of 21                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |
|--------------------------------------------------------------|---------------------------------------|------------|-----------|----------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Attorney Or Party Without Attorney (Name and Address)        |                                       |            |           | Telephone:           | 3.3          | FOR COURT USE O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | NLY         |
| REED A. KATHREIN, ESC                                        | Q. (133034)                           |            | (51       | 0) 725-3034          |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| HAGENS BERMAN SOBOL                                          | SHAPIRO LLP                           |            |           |                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| 715 Hearst Ave., Suite 2                                     | .02                                   |            |           |                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| Berkeley, California 947                                     | 10                                    |            |           | Ref. No. Or File No. |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| Attorneys for: PLAINTIFFS                                    |                                       |            |           | W249267              | 6            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| Insert name of court, judicial district and branch court, if | any:                                  |            |           |                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| UNITED STATES DISTRICT                                       | COURT                                 |            |           |                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| NORTHERN DISTRICT OF C                                       | CALIFORNIA                            |            |           |                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| Plaintiff:                                                   | · · · · · · · · · · · · · · · · · · · |            |           |                      |              | A CONTRACT OF THE PARTY OF THE | ******      |
| NATIVE VILLAGE OF KIVA                                       | LINA, et al.                          |            |           |                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
| Defendant:                                                   | •                                     |            |           |                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <del></del> |
| EXXONMOBIL CORPORATION                                       | DN, et al.                            |            |           |                      |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |
|                                                              | Date                                  | Time:      | Dept/Div. |                      | Case Number: | 00 1100 00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |
| PROOF OF SERVICE                                             |                                       |            |           |                      | C            | 08-1138 SB.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | A           |

I, J. Aldana , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: NRG ENERGY, INC.

By Serving

: MARGARET WILSON, Authorized Agent of CT CORPORATION SYSTEM, Agent for Service of

Process.

Address

: 818 W. Seventh Street , Los Angeles, California 90017

Date & Time

: Monday, March 3, 2008 @ 11:00 a.m.

Witness fees were

: Not applicable.

Person serving:

J. Aldana

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 5261

(3) County: Los Angeles

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 3, 2008

Signature:

J. Aldana



| REED A. KATHREIN, ESQ. (133034) HAGENS BERMAN SOBOL SHAPIRO LLP                                              |              |       | (510) 725-3034 |                                | FOR COURT USE ONLY |
|--------------------------------------------------------------------------------------------------------------|--------------|-------|----------------|--------------------------------|--------------------|
| 715 Hearst Ave., Suite 2<br>Berkeley, California 9471<br>Attorneys for: PLAINTIFFS                           | 0            |       | R              | ar. No. 0- Fao No.<br>W2492680 |                    |
| Insert name of count, judicial district and branch count, if a UNITED STATES DISTRICT NORTHERN DISTRICT OF C | COURT        | -     |                |                                |                    |
| NATIVE VILLAGE OF KIVA                                                                                       | LINA, et al. | i     |                |                                |                    |
| EXXONMOBIL CORPORATION                                                                                       | N, et al.    |       |                |                                |                    |
| PROOF OF SERVICE                                                                                             | Date:        | Twie: | Dept/Dec       | Crese Nur                      | C08-1138 SBA       |

I. Daniel Newcomb , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I SETVED THE: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: PEABODY ENERGY CORPORATION

By Serving

: SCOTT LASCALA, Managing Agent

Address

: 1209 Orange Street , Wilmington, Delaware 19801

Date & Time

: Monday, March 3, 2008 @ 2:00 p.m.

Witness fees were

were : Not applicable.

Person serving:
Daniel Newcomb
Wheels of Justice, Inc.
657 Mission Street, Suite 502
San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

- d. Registered California Process Server
  - (1) Employee or independent contractor
  - (2) Registration No.:
  - (3) County:
  - (4) =

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 5, 2008

Signature:

Daniel Newcomb



l, Jenny Neff , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: PINNACLE WEST CAPITAL CORPORATION

By Serving

: MOLLY MARTINEZ, Authorized Agent of CT CORPORATION SYSTEM,

Agent for Service of Process

Address

: 2394 E. Camelback Rd., Phoenix, AZ 85016

Date & Time

: Monday, March 3, 2008 @ 4:25 p.m.

Witness fees were

: Not applicable.

Person serving:

Jenny Neff

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

Jenny Neff

(2) Registration No.:

(3) County:

(4) Expires:

Signature:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 4, 2008

| Attorney Or Party Without Attorney (Name and Address)              | Telephone:           | FOR COURT USE ONLY |
|--------------------------------------------------------------------|----------------------|--------------------|
| REED A. KATHREIN, ESQ. (133034)<br>HAGENS BERMAN SOBOL SHAPIRO LLP | (510) 725-3034       |                    |
| 715 Hearst Ave., Suite 202                                         |                      |                    |
| Berkeley, California 94710                                         | Ref. No. Or File No. |                    |
| Attorneys for: PLAINTIFFS                                          | W2492669             |                    |
| Insert name of court, judicial district and branch court, if any:  |                      |                    |
| UNITED STATES DISTRICT COURT                                       |                      |                    |
| NORTHERN DISTRICT OF CALIFORNIA                                    |                      |                    |
| Plaintiff:                                                         |                      |                    |
| NATIVE VILLAGE OF KIVALINA, et al.                                 |                      |                    |
| Defendant:                                                         |                      | -100               |
| EXXONMOBIL CORPORATION, et al.                                     |                      |                    |
| PROOF OF SERVICE Date: Time:                                       | Dept/Div: Case Nu    | C08-1138 SBA       |

I, Jim Wardlow , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

i served the: Summons in a civil case; complaint; civil cover sheet; certification of interested entities or persons; order setting initial case management conference and adr deadlines; notice of availability of magistrate judge to exercise jurisdiction; ecf registration information handout

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: RELIANT ENERGY, INC.

By Serving

: BECKY DEGEORGE, Authorized Agent of CSC-Lawyers Incorporating Service, Agent for Service

of Process

Address

: 2730 Gateway Oaks Drive, Suite 100, Sacramento, California 95833

Date & Time

: Monday, March 3, 2008 @ 2:55 p.m.

Witness fees were

: Not applicable.

Person serving: Jim Wardlow

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 87-010

(3) County: Sacramento

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 4, 2008

Signature:

Jim Wardlow

Printed on recycled paper

| Case 4:08-cv-0                                               | )1138-SBA                                     | Document 8        | 3 File   | ed 03/17/2008                           | Page 20 of 21 |  |
|--------------------------------------------------------------|-----------------------------------------------|-------------------|----------|-----------------------------------------|---------------|--|
| Attorney Or Party Without Attorney (Name and Address)        |                                               | Telephone:        |          | FOR COURT USE ONLY                      |               |  |
| REED A. KATHREIN, ESC                                        | EED A. KATHREIN, ESQ. (133034) (510) 725-3034 |                   |          |                                         |               |  |
| HAGENS BERMAN SOBOL                                          | SHAPIRO LLP                                   |                   |          |                                         |               |  |
| 715 Hearst Ave., Suite 2                                     | 02                                            |                   |          |                                         |               |  |
| Berkeley, California 9471                                    | 0                                             |                   |          | Ref. No. Or File No.                    |               |  |
| Attorneys for: PLAINTIFFS                                    |                                               |                   |          | W2492674                                |               |  |
| Insert name of court, judicial district and branch court, if | any:                                          |                   |          |                                         |               |  |
| UNITED STATES DISTRICT                                       | COURT                                         |                   |          |                                         |               |  |
| NORTHERN DISTRICT OF C                                       | CALIFORNIA                                    |                   |          |                                         |               |  |
| Plaintiff:                                                   |                                               |                   |          |                                         |               |  |
| NATIVE VILLAGE OF KIVA                                       | LINA, et al.                                  |                   |          |                                         |               |  |
| Defendant:                                                   |                                               |                   |          |                                         |               |  |
| EXXONMOBIL CORPORATION, et al.                               |                                               |                   |          |                                         |               |  |
|                                                              | Date                                          | Time <sup>-</sup> | Dept/Div | C                                       | ase Number:   |  |
| PROOF OF SERVICE                                             |                                               |                   |          | *************************************** | C08-1138 SBA  |  |

I, J. Aldana , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: SHELL OIL COMPANY

By Serving

: MARGARET WILSON, Authorized Agent of CT CORPORATION SYSTEM, Agent for Service of

Process.

Address

: 818 W. Seventh Street, Los Angeles, California 90017

Date & Time

: Monday, March 3, 2008 @ 11:00 a.m.

Witness fees were

: Not applicable.

Person serving:

J. Aldana

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 5261

(3) County: Los Angeles

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: March 3, 2008

Signature:

J. Aldan



|                                                             |              |       |                |          | •                  |
|-------------------------------------------------------------|--------------|-------|----------------|----------|--------------------|
| Attorney Or Party Without Altomey (Nerso and Ackiness)      |              |       | Telephone;     |          | FOR COURT USE ONLY |
| REED A. KATHREIN, ESQ. (133034)                             |              |       | (510) 725-3034 |          | ļ                  |
| HAGENS BERMAN SOBOL                                         | SHAPIRO LL   | P     |                |          |                    |
| 715 Hearst Ave., Suite 2                                    |              |       |                |          |                    |
| Berkeley, California 947                                    | 10           |       |                |          |                    |
| Attermation PLAINTIFFS                                      |              |       |                | W2492679 |                    |
| insert name of court, judicial district and homen court, if | any:         |       | <del></del>    |          |                    |
| UNITED STATES DISTRICT COURT                                |              |       |                |          |                    |
| NORTHERN DISTRICT OF (                                      | CALIFORNIA   |       |                |          |                    |
| PlaintHT:                                                   |              |       |                |          |                    |
| NATIVE VILLAGE OF KIVA                                      | LINA, et al. |       |                |          |                    |
| Defendant:                                                  |              |       |                |          |                    |
| EXXONMOBIL CORPORATION                                      | DN, et al.   |       |                |          |                    |
| DD005 05 05000                                              | Date:        | Tima: | Dept/Div:      | Č        | CO8-1138 SBA       |
| PROOF OF SERVICE                                            |              |       |                | į        | C00-1130 3BA       |
|                                                             |              |       |                |          |                    |

I, Daniel Newcomb , Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; CERTIFICATION OF INTERESTED ENTITIES OR PERSONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; ECF REGISTRATION INFORMATION HANDOUT

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: THE SOUTHERN COMPANY

By Serving

: SCOTT LASCALA, Managing Agent.

Address

: 1209 Orange Street , Wilmington, Delaware 19801

Date & Time

: Monday, March 3, 2008 @ 2:00 p.m.

Witness fees were

: Not applicable.

Person serving:

Daniel Newcomb

Wheels of Justice, Inc. 657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

- d. Registered California Process Server
  - (1) Employee or independent contractor
  - (2) Registration No.:
  - (3) County:
  - (4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 5, 2008

Signature:

Daniel Newcomb

